

**United States Bankruptcy Court
Central District of California
Santa Ana
Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, September 12, 2024

Hearing Room

5B

10:00 AM

8:00-000000

Chapter

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ZoomGov meeting number: 161 720 7749

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completed your appearance(s).

Docket 0

Tentative Ruling:

- NONE LISTED -

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8:10-26382 Fariborz Wosoughkia

Chapter 7

Adv#: 8:19-01001 MAHDAVI v. Wosoughkia et al

**#1.00 Application And Order For Appearance And Examination of Third Person -
Eman Wosoughkia To Appear In Person**

Docket 0

Tentative Ruling:

Tentative for September 12, 2024
Appearance? *Appearance required.*

Party Information

Debtor(s):

Fariborz Wosoughkia

Represented By
Carlos F Negrete - INACTIVE -

Defendant(s):

Fariborz Wosoughkia

Pro Se

Natasha Wosoughkia

Pro Se

Joint Debtor(s):

Natasha Wosoughkia

Represented By
Carlos F Negrete - INACTIVE -

Plaintiff(s):

BIJAN JON MAHDAVI

Represented By
Craig J Beauchamp

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

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8:10-26382 Fariborz Wosoughkia

Chapter 7

Adv#: 8:19-01001 MAHDAVI v. Wosoughkia et al

#1.10 Plaintiff's Second Filing Of Plaintiff's Renewed Motion For Sanctions And Attorney Fees And Costs Pursuant To 28 U.S.C. § 1927 Relating To Defendant's Motion To Set Aside Settlement Agreement Pursuant To FRCP 60; CCP § 473; CAL. Civ. Code § 1689
**(put back on cal from 7-11-24 hrg held re: mtn for reconsideration)
(cont'd from 8-29-24 per order re: stip between plaintiff & defendant to cont. the 8/29th hrg on plaintiff's mtn for sanctions & atty fees entered 8-26-24 - see doc #371)**

Docket 332

Tentative Ruling:

Tentative for September 12, 2024
Settlement? Otherwise readopt ruling from June 13, 2024. *Appearance required.*

Tentative for June 13, 2024
Motion is granted. The court rules on the tentative. Movant to submit order.
Appearance is waived.

Party Information

Debtor(s):

Fariborz Wosoughkia

Represented By
Carlos F Negrete - INACTIVE -

Defendant(s):

Fariborz Wosoughkia

Pro Se

Natasha Wosoughkia

Pro Se

Joint Debtor(s):

Natasha Wosoughkia

Represented By

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Fariborz Wosoughkia

Carlos F Negrete - INACTIVE -

Chapter 7

Plaintiff(s):

BIJAN JON MAHDAVI

Represented By
Craig J Beauchamp

Trustee(s):

Richard A Marshack (TR)

Represented By
Michael G Spector

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8:22-10768 Samantha Jacobson

Chapter 7

Adv#: 8:22-01066 Sims et al v. Jacobson

#2.00 STATUS CONFERENCE RE: Complaint Objecting To Dischargeability Of Debt
Pursuant To 11 USC § 523 (a) (6)
(cont'd from 11-10-22)
(cont'd from 03-09-23 per court's own mtn)
(cont'd from 12-14-23)

Docket 1

Tentative Ruling:

Tentative for September 12, 2024
Continue to April 10, 2025 to allow disposition of motions in state court per
unilateral status report. *Appearance required.*

Tentative for December 14, 2023
Status conference continued to: September 12, 2024 at 10:00 a.m. in view of
scheduled state court trial. Plaintiff to give notice. A further status conference
report is required 14 days before.

Appearance is optional unless the proposed status conference date is not
acceptable.

Tentative for 11/10/22:

Deadline for completing discovery: February 23, 2023
Last date for filing pre-trial motions: March 10, 2023
Pre-trial conference on: March 30, 2023@10:00AM
Joint pre-trial stipulation and/or order due per local rules.
Refer to mediation. Order appointing mediator to be lodged by plaintiff within

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CONT... Samantha Jacobson

Chapter 7

10 days. One day of mediation to be completed by January 31, 2023.

Appearance: required

Tentative for 10/13/22:

Why no joint status report? Continue status conference to November 10 @ 10:00 a.m. to coincide with hearing on OSC re striking the answer for failure of cooperation.

Appearance: required

Party Information

Debtor(s):

Samantha Jacobson

Represented By
Brad Weil

Defendant(s):

Samantha Jacobson

Pro Se

Plaintiff(s):

Robert G. Sims

Represented By
Rosendo Gonzalez

Shannon Sims

Represented By
Rosendo Gonzalez

Michael A. Sims

Represented By
Rosendo Gonzalez

Hangar 21, Inc.

Represented By
Rosendo Gonzalez

Hoosier, Inc.

Represented By
Rosendo Gonzalez

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CONT... Samantha Jacobson

Chapter 7

Trustee(s):

Richard A Marshack (TR)

Pro Se

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8:23-10312 Lars Ake Morgan Gustavsson

Chapter 7

Adv#: 8:23-01041 Binun v. Gustavsson

**#3.00 STATUS CONFERENCE RE: Complaint To Determine Dischargeability Of Debt And/Or To Deny Debtor's Right To Receive A Discharge
(cont'd from 6-27-24 per order approving stip to extend discovery cut-off date & rescheduled discovery deadlines & pre-trial conf. entered 5-09-24)**

Docket 1

***** VACATED *** REASON: CONTINUED TO 11-14-24 AT 10:00 A.M.
PER ORDER APPROVING STIPULATION TO CONTINUE PRE-TRIAL
CONFERENCE ENTERED 8-20-24 SEE DOC #38**

Tentative Ruling:

Tentative for November 30, 2023
The deadline for completing discovery is May 31, 2024.
The last date for filing pre-trial motions is June 10, 2024.
The pre-trial conference is on June 27, 2024 at 10:00 a.m.
Joint pre-trial order due per local rules.
Appearance required.

Party Information

Debtor(s):

Lars Ake Morgan Gustavsson

Represented By
Robert P Goe

Defendant(s):

Lars Ake Morgan Gustavsson

Pro Se

Plaintiff(s):

Paul Binun

Represented By
Kit J Gardner

Trustee(s):

Karen S Naylor (TR)

Pro Se

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8:23-10312 Lars Ake Morgan Gustavsson

Chapter 7

**#4.00 Motion for Order Denying Debtor's Claim of Homestead Exemption
(cont'd from 8-24-23 per order approving stip. to cont. hrg on mtn for order
denying debtor's claim of homestead exemption entered 8-22-23)
(cont'd from 6-27-24)**

Docket 26

Tentative Ruling:

Tentative for September 12, 2024

The matter was continued to this date per request, but the court has seen nothing suggesting any progress. Status? *Appearance required.*

Tentative for June 27, 2024

Continue to Sept. 12 at 10:00 a.m. per request. *Appearance is waived.*

Tentative for March 28, 2024

According to the lone status report, we need a Spanish translation of the deposition of Ms. Gustavsson. This must be done before the court is in any position to rule upon the objection. What's the reason for the delay?
Appearance required.

Tentative for November 30, 2023

Schedule continued evidentiary hearing as needed. *Appearance required.*

Tentative for 7/11/23:

This is Motion for Order Denying Debtor, Lars Ake Morgan Gustavsson's ("Debtor") Claim of Homestead Exemption brought by creditor, Paul Binun ("Creditor"). Debtor opposes the motion.

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Lars Ake Morgan Gustavsson

Chapter 7

The Debtor filed his voluntary Chapter 7 petition on February 17, 2023, listing his residence as being 2960 Champion Way, Unit 1908 in Tustin, California. However, Creditor asserts, that is not believed to be the Debtor's domicile. Rather, the residence in Tustin appears to be that of the Debtor's son, while the Debtor's domicile is and has been the Mexico Real Property in Mazatlan, Mexico, where the Debtor's wife also resides, and for which the Debtor has claimed a \$300,000.00 homestead exemption pursuant to California Code of Civil Procedure section 704.730. However, Creditor argues, because the Debtor was not domiciled in California for 730 days prior to filing his bankruptcy petition, as required by Bankruptcy Code section 522(b)(3)(A), the Debtor may not claim California's homestead exemption in the Mexico Real Property.

Creditor asserts that the nowhere in the Debtor's Schedules or Statement of Financial Affairs did he disclose his interest in the Mexico Real Property. Even after he had been questioned extensively at a meeting of creditors held on March 29, 2023, concerning his potential ownership of real property in Mexico, Creditor asserts, the Debtor filed an amended set of Schedules and Statement of Financial Affairs on April 27, 2023, which still did not list any interest in real property.

However, Debtor further amended his schedules on April 28, 2023 and listed the Mexico Real Property, but asserted that it was held in his wife's name. In fact, Creditor asserts, the Mexico Real Property was purchased by Debtor with his own separate property (an inheritance). Still, the Debtor also amended his Schedule C to claim an exemption in the Real Property in the amount of \$300,000.00 pursuant to California Code of Civil Procedure section 704.730. As noted above, Creditor argues that Debtor is not entitled to that homestead exemption under section 522(b)(3)(A), which states:

(3) Property listed in this paragraph is—

(A) subject to subsections (o) and (p), any property that is exempt under Federal law, other than subsection (d) of this section, or State or local law that is applicable on the date of the filing of the petition to the place in which the debtor's domicile has been located for the 730 days immediately preceding the date of the filing of the petition or if the debtor's domicile has not been located in a single State for such 730-day period, the place in which the

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Chapter 7

debtor's domicile was located for 180 days immediately preceding the 730-day period or for a longer portion of such 180-day period than in any other place;

A person is "domiciled" in a location where he or she has established a fixed habitation or abode in a particular place and intends to remain there permanently or indefinitely. *Lew v. Moss*, 797 F.2d 747, 749-50 (9th Cir. 1986).

Creditor argues that a timeline established in part by filings in this case show that Debtor was domiciled in Mexico within the 730 days preceding the petition date, rendering him, according to Creditor, ineligible for the California exemptions.

Further, Creditor argues that under 11 U.S.C. sec. 522(g), Debtor may not claim an exemption if the property was voluntarily transferred or if it was concealed. *See, e.g. In re McKinnon*, 495 B.R. 553, 555 (Bankr. M.D. Fla. 2013) ("If either the transfer was a voluntary transfer or if the transfer was not disclosed, then § 522(g) is unavailable to the Debtor"). As noted above, Creditor argues that Debtor likely transferred and concealed the Mexico Real Property, at least initially. Creditor asserts that discovery will be necessary to determine under what circumstances the Mexico Real Property was acquired and/or when the funds used to acquire it were given by the Debtor to his wife.

Debtor opposes the motion. Debtor asserts that Creditor is a former business partner and also a disputed creditor. Debtor maintains that he has always lived in California. Debtor points out that when Creditor sued Debtor in Orange County Superior Court in October of 2019, Debtor was listed in the complaint as "residing in Orange County, California..." Debtor maintains that he has always listed an address in Orange County in his bankruptcy filings because that is, in fact, where he lives, though notes that he does visit his wife in Mexico. Debtor disputes that he ever had any interest in the Mexico Real Property and maintains that it is his wife's property. Debtor asserts that his frequent trips to Mexico are a result of medical care and recovery from serious illness. However, Debtor argues that under the definition of "domicile" he should be considered domiciled in California because he has never intended to live and remain anywhere else, including Mexico. Debtor argues

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CONT... Lars Ake Morgan Gustavsson

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that his intent to live and remain in California is evidenced by his assets being located here, his sources of income located here, his work is here, he carries a California driver's license, owes and pays taxes in California. Debtor concedes that he was advised to say that he resided in Mexico, but maintains he never formed a subjective intent to live and remain there. Debtor also disputes that any the Mexico Real Property was transferred or concealed because, Debtor argues, he never had any ownership interest there, making sec. 522(g) inapplicable.

In reply, Creditor argues that Debtor has not rebutted the argument that he purchased the house in Mexico with money from an inheritance. Creditor also argues that Debtor at various times during this case made it clear that Mexico was his "home" and that he intended to live there indefinitely. Creditor argues that if his arguments are not sufficiently compelling at this time, he should be given leave to conduct discovery and get answers to questions such, what is exactly is his living arrangement with his son in California? What are his expenses in Mexico? Where is his car registered? What personal property assets are in Mexico?

The court cannot tell where the truth is on this record. A contested proceeding in the nature of a trial to establish Debtor's domicile during the relevant period may be required. In the meantime, the court would value any comments the chapter 7 trustee, Karen Naylor or the U.S. Trustee might have.

Continue for evidentiary proceeding.

Appearance: required

Party Information

Debtor(s):

Lars Ake Morgan Gustavsson

Represented By
Robert P Goe

Trustee(s):

Karen S Naylor (TR)

Pro Se

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8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01055 Marshack v. Deutsche Lufthansa Aktiengesellschaft

**#5.00 STATUS CONFERENCE RE: Complaint To Avoid And Recover Voidable Transfers
(cont'd from 6-27-24)**

Docket 1

***** VACATED *** REASON: CONTINUED TO 11-07-24 AT 10:00 A.M.
PER ORDER APPROVING STIPULATION TO CONTINUE STATUS
CONFERENCE ENTERED 8-30-24 - SEE DOC #23**

Tentative Ruling:

Tentative for June 27, 2024
Deadline for completing discovery: Dec. 1, 2024
Last date for filing pre-trial motions: Dec. 13, 2024
Pre-trial conference on: January 30, 2025
Joint pre-trial stipulation and/or order due per local rules.
Appearance required.

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Deutsche Lufthansa

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Lauren N Gans

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis

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LF Runoff 2, LLC

Chapter 7

Laila Masud
Roya Zur
Lauren N Gans

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8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01057 Marshack v. Holding Liwa SP. Z O.O.

**#6.00 STATUS CONFERENCE RE: Complaint To Avoid And Recover Voidable
Transfers
(cont'd from 6-27-24)**

Docket 1

Tentative Ruling:

Tentative for September 12, 2024
Service? Why no status report? *Appearance required.*

Tentative for June 27, 2024
Status of answer/default? Are there issues of proper international service?
Appearance required.

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Holding Liwa SP. Z O.O.

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Lauren N Gans

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis

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LF Runoff 2, LLC

Chapter 7

Laila Masud
Roya Zur
Lauren N Gans

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8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01058 Marshack v. Information Management Network LLC

**#7.00 STATUS CONFERENCE RE: Complaint To Avoid And Recover Voidable
Tranfers
(cont'd 8-01-24)**

Docket 1

Tentative Ruling:

Tentative for September 12, 2024
See #14. *Appearance required.*

Tentative for August 1, 2024
Continue to September 12, 2024 at 10:00 a.m. to coincide with default
judgment motion trustee is to file. *Appearance required.*

Tentative for June 27, 2024
Status of answer/default? *Appearance required.*

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Information Management Network

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Lauren N Gans

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Chapter 7

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis
Laila Masud
Roye Zur
Lauren N Gans

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8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01063 Marshack v. Polish Airlines 'Lot'

**#8.00 STATUS CONFERENCE RE: Complaint To Avoid And Recover Voidable
Transfers
(cont'd from 8-01-24)**

Docket 1

Tentative Ruling:

Tentative for September 12, 2024
Why no status report? Continue to coincide with relief of default scheduled
10/24/24 at 10:00 a.m. *Appearance required.*

Tentative for August 1, 2024
Continue to September 12, 2024 at 10:00 a.m. to accommodate entry of
default and /or prove up hearing. *Appearance required.*

Tentative for June 27, 2024
Status of entry of default? Are there international service issues?
Appearance required.

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Polish Airlines 'Lot'

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By

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CONT... LF Runoff 2, LLC

Chapter 7

Lauren N Gans

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis
Laila Masud
Royce Zur
Lauren N Gans

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8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01064 Marshack v. Robert Half International, Inc.

**#9.00 STATUS CONFERENCE RE: Complaint To Avoid And Recover Voidable Transfers
(cont'd from 8-01-24 per order apprvng stip. to cont status conference entered 8-01-24)**

Docket 1

***** VACATED *** REASON: CONTINUED TO 11-07-24 AT 10:00 A.M.
PER ORDER APPROVING FOURTH STIPULATION FURTHER
EXTENDING TIME TO ANSWER OR OTHERWISE RESPOND TO
COMPLAINT TO AVOID AND RECOVER VOIDABLE TRANSFERS
ENTERED 8-22-24 - SEE ORDER #20**

Tentative Ruling:

Tentative for August 1, 2024
Status of service/default? *Appearance required.*

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Robert Half International, Inc.

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Lauren N Gans

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis
Laila Masud

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LF Runoff 2, LLC

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Roye Zur
Lauren N Gans

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8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01092 Marshack v. Casey

#10.00 STATUS CONFERENCE RE: Chapter 7 Trustee's Complaint For Turnover Of Property Of The Debtor's Bankruptcy Estate Pursuant To Section 542 Of The Bankruptcy Estate

Docket 1

***** VACATED *** REASON: OFF CALENDAR - ORDER APPROVING STIPULATION TO DISMISS THIS ADVERSARY PROCEEDING AND FOR TURNOVER OF BONDS ENTERED 6-28-24 - SEE DOC #4**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Thomas H. Casey

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Thomas J Polis

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis
Laila Masud
Roya Zur
Lauren N Gans

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8:22-11585 AB Capital, LLC, a California limited liability co

Chapter 7

Adv#: 8:23-01003 Heritage One LLC et al v. Richard A. Marshack et al

#11.00 PRE-TRIAL CONFERENCE RE: Answer to Complaint and Counterclaims for:
(1) Violation of the Automatic Stay; (2) Avoidance of Preferential Transfer; (3)
Avoidance of Fraudulent Transfer; (4) Avoidance of Unauthorized Post-Petition
Transfer; (5) Preservation of Avoided Transfers; and (6) Declaratory
Relief/Unjust Enrichment
Another summons issued on 3-21-23
(set from s/c hrg held on 6-08-23)
(cont'd from 7-11-24 per order continuance of pre-trial conference entered
6-21-24)

Docket 9

***** VACATED *** REASON: CONTINUED TO 11-14-24 AT 10:00 A.M.**
PER ORDER RE: CONTINUANCE OF PRE-TRIAL CONFERENCE
ENTERED 8-30-24 - SEE DOC #45

Tentative Ruling:

Tentative for 6/8/23:
Deadline for completing discovery: March 31, 2024
Last date for filing pre-trial motions: May 1, 2024
Pre-trial conference on: May 9, 2024 @10

Party Information

Debtor(s):

AB Capital, LLC, a California	Pro Se
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Defendant(s):

Richard A. Marshack	Represented By Ryan D O'Dea
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Joshua R. Pukini	Pro Se
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Calpac Mortgage Fund, LLC	Pro Se
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Calpac Management, Inc	Pro Se
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All Persons Unknown Claiming Any	Pro Se
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Plaintiff(s):

Heritage One LLC

Represented By
Neelamba Jhala Molnar
Evan C Borges
Claire-Lise Y. Kutlay

Jeffrey B. Panosian

Represented By
Neelamba Jhala Molnar
Evan C Borges
Claire-Lise Y. Kutlay

Claire B. Panosian

Represented By
Neelamba Jhala Molnar
Evan C Borges
Claire-Lise Y. Kutlay

Trustee(s):

Richard A Marshack (TR)

Represented By
D Edward Hays
Alan W Forsley
Ryan D O'Dea
Kristine A Thagard
James C Bastian Jr
Marc A Lieberman
Rika Kido

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Thursday, September 12, 2024

Hearing Room

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10:00 AM

8:13-14887 Bret A Percival

Chapter 7

Adv#: 8:23-01027 Kelly v. Percival

#12.00 PRE-TRIAL CONFERENCE RE: Complaint To Determine Dischargeability Of Debt Under 11 USC Section 523(a)(2)(A), 523(a)(2)(B), 523(a)(4), and 523 (a)(6), Pursuant To Section 523(a)(3)(B)
(set from s/c hrg held on 6-29-23)
(cont'd from 4-04-24 per order continuing pretrial conf entered 3-27-24)
(cont'd from 8-01-24)

Docket 1

Tentative Ruling:

Tentative for September 12, 2024

The 30 day stay mentioned last time should be expired. Status? *Appearance required.*

Tentative for August 1, 2024

A stipulation regarding staying the proceedings was expected. Status? *Appearance required.*

Tentative for April 25, 2024

A continuance was granted at Mr. Firman's request, but since nothing has been filed. Why shouldn't the court adopt the unilateral stipulation offered by plaintiff? *Appearance required.*

Tentative for February 29, 2024

Status on outstanding discovery disputes? *Appearance required.*

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CONT... Bret A Percival

Chapter 7

Tentative for 6/29/23:

Deadline for completing discovery: Nov. 1, 2023

Last date for filing pre-trial motions: Nov. 20, 2023

Pre-trial conference on: Dec. 7, 2023

Joint pre-trial stipulation and/or order due per local rules.

Appearance: required

Party Information

Debtor(s):

Bret A Percival

Pro Se

Defendant(s):

Bret A Percival

Pro Se

Plaintiff(s):

Gregory Kelly

Pro Se

Trustee(s):

CASE REOP/CONV/OR CLOSED

Pro Se

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5B

10:00 AM

8:20-12416 Michele Lynn Stover

Chapter 7

Adv#: 8:21-01013 Bidoglio v. Stover

**#13.00 PRE-TRIAL CONFERENCE RE: Complaint To Determine Nondischargeability
Of Debt
(cont'd from 5-27-21 per another summons issued on 3-26-21)
(set from s/c hrg held on 2-15-24)**

Docket 1

***** VACATED *** REASON: OFF CALENDAR - JUDGMENT
ENTERED IN FAVOR OF PLAINTIFF ENTERED 5-31-24 (Docket No. 78).**

Tentative Ruling:

Tentative for February 15, 2024
Deadline for completing discovery is August 1, 2024.
Last date for filing pre-trial motions is August 16, 2024.
Pre-trial conference is on September 12, 2024 at 10:00 a.m.
Joint pre-trial order due per local rules.
Refer to mediation. Order appointing mediator to be lodged by Plaintiff within
10 days. One day of mediation to be completed by July 1, 2024.
Appearance required.

Tentative for December 14, 2023
Status of negotiations. Appearance required.

Tentative for September 14, 2023
Debtor's counsel has moved to withdraw. An appeal of a state proceeding
implicating some but not all issues is pending. In the interest of collateral
estoppel there is a request for a continuance into August of 2024. The court
would request a report on how all the parts interact and whether a delay of
that magnitude is the most efficient.

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CONT... Michele Lynn Stover

Chapter 7

Appearance required.

Tentative for 8/24/23

It would seem that collateral estoppel might obtain unless there is an appeal, the filing of which should be known shortly. Perhaps the better part of valor is to take up the question of setting deadlines in around 60 days? Appearance required.

Tentative for 5/25/23:

Status? Is the state proceeding still pending? Why no report?

Appearance: required

Tentative for 3/16/23:

Status conference continued to: May 25, 2023 @ 10:00 a.m. A further status report is required.

Appearance: optional

Tentative for 12/15/22:

Status regarding the state court matter and how it affects our case?

Appearance: required

Tentative for 9/8/22:

Continue at parties' request to Nov. 10, 2022 @ 10:00AM

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CONT... **Michele Lynn Stover**
Appearance: optional

Chapter 7

Tentative for 7/8/21:
Deadline for completing discovery: September 30, 2021
Last date for filing pre-trial motions: Oct. 15, 2021
Pre-trial conference on: Nov. 4, 2021

Appearance: required

Tentative for 6/10/21:
What is the status following denial of motion for more definite statement?
Continue about 30 days.

Party Information

Debtor(s):

Michele Lynn Stover

Represented By
Christopher J Langley

Defendant(s):

Michele Lynn Stover

Pro Se

Plaintiff(s):

Ana L Bidoglio

Represented By
Henry J Josefsberg

Trustee(s):

Thomas H Casey (TR)

Pro Se

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8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01058 Marshack v. Information Management Network LLC

#14.00 Plaintiff's Motion For Default Judgment Under LBR 7055-1

Docket 16

Tentative Ruling:

Tentative for September 12, 2024
Grant. Appearance is optional.

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Information Management Network

Pro Se

Plaintiff(s):

Richard A. Marshack

Represented By
Lauren N Gans
Royce Zur

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis
Laila Masud
Royce Zur
Lauren N Gans

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11:00 AM

8:19-10526 LF Runoff 2, LLC

Chapter 7

Adv#: 8:24-01063 Marshack v. Polish Airlines 'Lot'

#15.00 Plaintiff's Motion For Default Judgment Under LBR 7055-1

Docket 15

Tentative Ruling:

Tentative for September 12, 2024

This is the Trustee's motion for entry of a default judgment. It is opposed by the defendant Polish Airlines LOT. There are at the core of this dispute contested legal and factual issues having to do with whether the defendant is an "initial transferee" within the meaning of §550(a)(1) as opposed to a subsequent transferee entitled to a "good faith" defense under §550 subsection (a)(2). Moreover, there is a question of how "equivalent value" exchanged is measured in the context of an alleged faithless debtor purchasing goods and services at retail benefitting only third parties. The court is not impressed with the defendant's/counsel's apparent slowness to respond formally to the complaint, which is painted as willful indifference by plaintiff.

There are three factors derived from the "good cause" standard that governs the setting aside of entries of default under Rule 55(c). *Alan Neuman Prods., Inc. v. Albright*, 862 F.2d 1388, 1392 (9th Cir. 1988). Those factors are: (1) whether the defendant's culpable conduct led to the default; (2) whether the defendant has a meritorious defense; and (3) whether reopening the default judgment would prejudice the plaintiff. *Id.* These standards are to be interpreted liberally when deciding a motion to set aside entry of default. See *Hawaii Carpenters' Trust Funds v. Stone*, 794 F.2d 508, 513 (9th Cir. 1986).

While the court does not generally reward indifference, the case made here is not that clear and so the question of culpability (and the first Alan factor) is unclear. The second Alan factor, a meritorious defense, is also unclear and murky as described above, in the court's view. The third factor, prejudice to plaintiff, is not shown at all so it favors defendant. Set against the law's general preference to decide matters on their merits, the motion will be

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CONT... LF Runoff 2, LLC

Chapter 7

DENIED pending hearing on defendant's motion for relief from default.
Appearance required.

Party Information

Debtor(s):

LF Runoff 2, LLC

Represented By
Marc C Forsythe

Defendant(s):

Polish Airlines 'Lot'

Represented By
Scott D Cunningham

Plaintiff(s):

Richard A. Marshack

Represented By
Lauren N Gans
Roye Zur

Trustee(s):

Richard A Marshack (TR)

Represented By
David Wood
D Edward Hays
Thomas J Polis
Laila Masud
Roye Zur
Lauren N Gans

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8:19-12480 Guy S. Griffithe

Chapter 7

Adv#: 8:19-01199 Samec v. Guy Griffithe Et.Al

#16.00 Defendant's Objection To The Order Lodged On June 12, 2024 And Request For The Court To Set A Hearing And Briefing Schedule Based On Post Trial Events
(advanced from 9-26-24 at 11:00 a.m. to 9-12-24 at 11:00 a.m. - see order entered 8-14-24 - see doc #256)
[Anerio Altman, Attorney for Debtor, Guy S. Griffithe - Will Be Appearing In Person]

Docket 248

Tentative Ruling:

Tentative for September 12, 2024

This is before the court on Defendant's Objection to the Order Lodged June 12, 2024. At issue is whether the Plaintiffs Joseph and Brenda Samec ("Plaintiffs") are entitled to a nondischargeable judgment for money based on the court's findings announced in its Memorandum of Decision After Trial entered on July 28, 2023 [Docket No. 216]. This case has become a tangled mess primarily because Plaintiffs first filed a deficient form of judgment after trial which was initially rejected (mostly going to interest issues) , but the remedy to fix the deficiency was not attempted, inexplicably, *for nearly one year later on June 12, 2024*. In the meantime, reportedly, events occurred in the Riverside Superior Court which Defendant argues have changed everything. Defendant now argues that under the doctrine of collateral estoppel there is no claim because the Riverside Court determined that damages were zero, so the Order lodged June 12, 2024 cannot be entered. How exactly the Riverside Court came to that astounding conclusion is never adequately explained (indeed, it looks like Plaintiff *requested dismissal* of Defendant perhaps at Defendant's behest), and alternative theories are offered.

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Guy S. Griffith

Chapter 7

A. Background

On July 10, 2019, Plaintiffs initiated a lawsuit in the California Superior Court, County of Riverside ("Riverside Court"), to which Defendant was one of the parties included in that action. Defendant contends that the facts at issue in that matter were the same as the facts initially at issue in this adversary proceeding, although this is disputed by Plaintiffs. [Motion, Exhibit 5].

Plaintiffs requested relief from the automatic stay to litigate the matters in the Riverside Case on August 22, 2019, which was granted by this court September 27, 2019. [Motion, Exhibit 2]. Plaintiffs also initiated a parallel adversary proceeding against Debtor in this case, which led to trial conducted between June 22 through June 25th, 2023. This court's Memorandum of Decision After Trial held that the debt arising from RTSI/SMRB/GAP investment was nondischargeable under Sections 523(a)(2)(A) and (a)(19). However, the court did not make a finding as to the amount of this debt except to note that "Damages were obvious since the entire investment of \$150,000 plus interest, costs, attorneys' fees was lost except what might have been received as bogus "dividends" of about \$30,000"...."[MOD p.24 at lines 25-27]. The original form of judgment lodged August 25, 2023 was rejected, mostly over calculation of interest issues, and Plaintiffs were directed to lodge a new form of judgment. In the meantime, Plaintiffs' lawyers apparently left the case for reasons left unexplained. Plaintiffs attempted to lodge another order one year later on June 12, 2024 (the reasons for this extreme delay were not provided), but there was no notice of lodgment included. Instead, this motion followed. Defendant contends that Plaintiffs in their declaration attempt to calculate the judgment and enter monetary judgment now. However, Defendant argues that this court is collaterally estopped from entering a monetary judgment because of the outcome at the Riverside Court. Defendant argues the Riverside Court liquidated Plaintiffs' claims against Defendant by determining they had none, in other words zero, and dismissed Defendant from the 5th amended complaint with prejudice ("Riverside Case"). [Motion, Exhibit 1].

Based on the Riverside Court's order, Defendant now requests that, since this court has technically not issued a final judgment on its

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Chapter 7

Memorandum of Decision, it must follow the Riverside Court's ruling under the theory of collateral estoppel and not award *any* damages.

B. Legal Standard

Application of issue preclusion (collateral estoppel) requires a prior determination that: (1) resolved an identical issue; (2) actually litigated the identical issue; (3) necessarily decided the identical issue; (4) is final and resolved the issue on its merits; and (5) occurred between parties in privity to one another, in the former proceeding. *Khaligh v. Hadaegh (In Re Khaligh)*, 338 B.R. 817, 824 (B.A.P. 9th Cir. 2006). But left unclear is exactly what the Riverside Court decided (if anything) and why. This goes to the "actually litigated" issue primarily.

C. Collateral Estoppel

Defendant argues that all elements of issue preclusion are met because the Riverside Court resolved the same or similar issues regarding the Plaintiffs' investment in RTSI/SMRB/GAP, and that this issue was actually litigated and necessarily decided by the Riverside Court. The privity between the parties is present as the case was between Plaintiffs and Defendant in both forums. There was also a final judgment issued by the Riverside Court. But what remains to be determined and is disputed by the parties is whether the issues were the same in both forums and, more importantly, whether they were actually litigated and decided by the Riverside Court. The causes of action are somewhat different, given the nature of the two different forums and the presence of third parties. What the court is looking for here is if there is a determination made by the Riverside Court that there was no fraud or securities fraud that would determine dischargeability under Section 523(a)(2) (A) and (a)(19). Plaintiff contends that the issues are not identical, that this court has already decided on these issues, and that the Riverside Court made determinations eight months after this adversary concluded and only opined as to other defendants. Plaintiff adds that the reason the Riverside Court did not find on the question of fraud etc. is because it believed that the

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bankruptcy court had already done so. But this was not established by any evidence save Plaintiff's report that the Riverside Court said to the effect that the bankruptcy court was a one-stop court and so there was no need or ability to go further in Riverside since the bankruptcy court had already done so.

Defendant cites to Exhibit 1 of the Motion and its brief as support to his contention that collateral estoppel applies because the Riverside Court determined that Plaintiffs had no claim against Defendant and dismissed him from the complaint (at Plaintiff's request?) with prejudice. Upon the court's review of this Exhibit 1, unless the court is missing something, there is nothing that provides any, much less a detailed finding from the Riverside Court that Defendant is or is not liable for fraud and securities fraud and/or its reasoning for this determination. Plaintiffs assert that the Riverside Court apparently told Plaintiffs that since the bankruptcy court awarded a dischargeability judgment (which it had not done as of that date but it had issued findings) against Defendant, Plaintiffs could not obtain a second judgment against him in state court for similar causes of action. Thus, Defendant became a witness in the Riverside Case (this is unsupported by a declaration or any evidence). Plaintiffs also attach Defendant's trial brief in the Riverside Case, which summarily provides that *res judicata* should apply and Defendant should be dismissed from the case, as the bankruptcy court has already issued a decision after trial and awarded Plaintiffs a judgment for the same facts or nucleus of events. [emphasis added, Response, Exhibit 7]. Although the court agrees with Defendant that Plaintiffs have not explicitly shown how the trial brief was the factor that led to the dismissal of Plaintiffs' complaint against him with prejudice, Defendant has also not provided sufficient evidence to show that collateral estoppel applies here. Exhibit 1 attached to the motion demonstrates the Riverside Court's findings are bare to nonexistent pertaining to Plaintiffs, and simply dismisses Defendant from the case. [See Motion at Exhibit 1 p.2]. The dismissal may have been precipitated by either the Riverside Court or by Plaintiffs' (or maybe Defendant's) request that he be dismissed because of the bankruptcy court's findings. The findings attached as Exhibit 1 in Defendant's reply pertain only to another defendant Maartin Rossouw and indicates that Defendant Griffithe

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was dismissed with prejudice from the lawsuit. [See Reply, Exhibit 1 p.3-4, "Ruling After Court Trial" dated March 27, 2024]. Finally, Plaintiff's supplemental declaration (Docket No. 272) provides an email from Defendant to Plaintiff acknowledging that he was only a witness and no longer a party due to Plaintiffs already having a judgment in the adversary trial. [PI Supp Dec, Exhibit 5]. It is thus more likely that the Riverside Court simply declined to issue findings about the alleged fraud etc. as against Defendant largely because it was led to believe this court had already done so, in great detail. Had there been an intention to actually determine such issues, one would expect a much greater attention to detail, especially considering at that time this courts findings were already published. Based on the evidence and arguments presented by both parties, the court is not persuaded that collateral estoppel applies here and maintains its ruling in the Memorandum of Decision After Trial that the debt arising from RTSI/SMRB/GAP investment was nondischargeable under Sections 523(a)(2)(A) and (a)(19).

D. Issue of Damages

Defendant contends that the court has not addressed the amount of Plaintiffs damages, and thus, the Riverside Court's dismissal effectively liquidates the value of the claim at zero. It may be true that a formal finding on sums owed was not made, but as Plaintiffs state in their response, this court did state that "Damages were obvious since the entire investment of \$150,000 plus interest, costs, attorneys' fees was lost except what might have been received as bogus "dividends" of *about* \$30,000" [MOD p.24 at lines 25-27] (*italics added*), recognizing that monetary damages were owed to Plaintiffs but in an unliquidated sum. This alone is sufficient to preclude the zero conclusion offered by Defendant as its entry predates anything issued by the Riverside Court on the question, even assuming the Riverside Court actually intended to go into the question of quantum of damages. So, should the court adopt the principal and interest amounts included in Plaintiffs' submitted proposed Judgment? The answer to this question may need to be determined at a separate hearing, as there are several remaining issues. First, the interest question has not been vetted yet, and the numbers appear

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very different. It might be the difference between calculating under the federal rate vs. under Washington state law. Research on which is appropriate might be required. Additionally, the principal requests are different, but without explanation. On this point, is it sufficient to merely subtract the \$30,000 (approx.?) received as bogus "dividends" from the aggregate amount invested, as mentioned in the Memorandum of Decision? That would yield \$120,000 (i.e. \$150,000-130,000=120,000), but that differs from the amounts submitted in either of Plaintiff's forms of judgment without explanation. Further, and possibly related, the difference could be explained by interim interest accrued on a declining principal or some other theory of damage not yet explained. But it is just left frustratingly unclear. Determining the correct balance from which the interim payments ought to be deducted will be a challenge. Plaintiffs retain the burden of proving the amounts with admissible evidence and calculation of appropriate interest is likewise their burden and should be calculated in an easily understandable format .

For the purposes of this hearing, the court finds that the elements of collateral estoppel have not been met, and the Memorandum of Decision After Trial controls. Further hearing is required to determine the final amount of the form of Judgment. *Appearance required.*

Party Information

Debtor(s):

Guy S. Griffithe

Represented By
Bert Briones

Defendant(s):

Guy Griffithe Et.Al

Represented By
Anerio V Altman

Plaintiff(s):

Joseph Samec

Pro Se

Trustee(s):

Thomas H Casey (TR)

Pro Se

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11:00 AM

8:24-10483 Heycart Inc

Chapter 11

Adv#: 8:24-01073 Heycart, Inc. v. Victory Maritime Services USA et al

#17.00 Defendant's Motion For Reconsideration Of Order Granting Debtor's Emergency Motion For Turnover, Preliminary Injunction And Order To Show Cause Why Defendants Should Not Be Held In Contempt For Their Willful Violation Of The Automatic Stay -
[Christopher Langley, Counsel for Victory Maritime Services USA, Inc. - Appearing In Person]

Docket 36

Tentative Ruling:

Tentative for September 12, 2024

This is a Motion for Reconsideration of this court's order requiring turnover and for sanctions for violating the automatic stay. Defendant and creditor Victory Maritime Services USA, Inc. ("VMC") claims that it holds a statutory, possessory carrier's lien on the products that it processes. The Federal Maritime Lien Act, 46 U.S.C. Section 31342, provides "a person providing necessities to a vessel on the order of the owner or a person authorized by the owner has a maritime lien on the vessel." The Federal Maritime Lien Act has been construed by a number of courts in such a way that the term "vessel" includes freights since the general rule is that if a maritime lien attaches to a vessel it also attaches to its freights which are incident to the vessel. *Schirmer Stevedoring Co. v. Seaboard Stevedoring Corp.*, 306 F.2d 188 (9th Cir.1962). Debtor argues goods being delivered by a vessel as cargo (as opposed to being used by the vessel itself) do not constitute "necessities to a vessel" entitled to a maritime lien. Additionally, Section 31342 only governs a "maritime lien on the vessel". Defendant has failed here to identify any vessel to which its claimed maritime lien attaches (but see counterargument below) and failed to identify any vessel's credit upon which it was relying upon for payment, all of which are required to establish a maritime lien. Next, because the vessel is the source of any maritime lien, only a person with authority to "procure necessities for a

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vessel" may create an obligation that may serve as a basis for asserting a maritime lien, which includes the owner, master, manager of the vessel, charterer, buyer of the vessel, etc. Debtor is none of those entities. Also, to record notice of a maritime lien, a person asserting the lien should record the notice with the Secretary of the Department of Homeland Security, which Defendant has failed to produce any evidence that any recording exists here. Finally, Debtor argues all the cases cited by Defendant to support the maritime lien theory hold that a maritime lien can only arise out of a claim for goods and services that *benefitted a vessel or its voyage*, which is not the case here.

Defendants also claim that they have a lien for freight under Civil Code Sections 2144 and 3051.5(a). However, the statute provides that: "The lien provided by this section shall not arise: (1) Unless the carrier has notified the shipper, in writing, that failure to pay billed charges may result in a lien on future shipments, including the cost of storage and appropriate security for the subsequent shipment held pursuant to this section. See Cal. Civ. Code § 3501.5(a)(1) . Here, reportedly no such notice was provided. The statute further provides that "[a]ny perfected security interest in the property is prior to the lien provided by this section." See Cal. Civ. Code § 3051.5(e). It further provides that any proceeds from the sale of the property must first go to the secured parties holding perfected security interests before satisfying the freight lien. *Id.* In this case, the Debtor's inventory is reportedly fully encumbered by the perfected security interests of numerous other secured creditors. Thus, there arguably is no basis to assert a freight lien.

In the reply, regarding whether Defendant has a maritime lien because it is not a vessel, Defendant cites to *Logistics Management, Inc. v. One (1) Pyramid Tent Arena*, 86 F.3d 908 (9th Cir. 1996), where the Ninth Circuit concluded that NVOCCs like VMS are entitled to assert maritime liens on cargo for unpaid freight charges: NVOCCs assume the same responsibility for the delivery of cargo as do vessel owners or operators.... We see no reason to deny NVOCCs the same rights to assert a lien that are possessed by these

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other carriers. We therefore hold that NVOCCs have an in rem maritime lien for unpaid freight against the cargo they are responsible for transporting. *Id.* at 86 F.3d at 914. In this case, Defendant asserts that it holds a possessory maritime lien in the goods under its control at the time of the bankruptcy filing, which also includes all amounts previously due and unpaid as well as payment for current shipments.

Defendant has submitted new evidence and new legal arguments in support of its Motion. However, Defendant had an opportunity to timely oppose the Contempt Motion but failed to do so and cannot raise these new issues in its motion for reconsideration. "The overwhelming weight of authority is that the failure to file documents in an original motion or opposition does not turn the late filed documents into 'newly discovered evidence.'" *School Dist. No. 1J, Multnomah Cty., Or. v. AC and S, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993). None of the evidence or law submitted in the motion was "newly discovered" as all of it was available to VMS at the time of the Contempt Motion and before the Contempt Order was entered.

But Defendant mainly argues that this court has committed a mistake of law when it failed to recognize Supreme Court precedent in *City of Chicago, Illinois v. Fulton*, 592 U.S. 154 (2021), on applicability of the automatic stay under Section 362. See *Kemp v. United States*, 142 S. Ct. 1856, 1861 & n.1, 213 L. Ed. 2d 90 (2022) (the court found that based on the text, structure, and history of Rule 60(b), that a judge's errors of law are indeed 'mistake[s]' under Rule 60(b)(1), and the term "mistake" in Rule 60(b)(1) should be given its broadest possible interpretation). In *City of Chicago*, the Supreme Court held that a creditor does not violate the automatic stay by retaining possession of collateral when the debtor files a bankruptcy petition. *Id.* at 158. Passive retention—where the creditor simply holds onto the estate property—falls outside the scope of Section 362 and is therefore permissible. Like in *City of Chicago*, where the city impounded each respondent's vehicle for failure to pay fines for motor vehicle infractions and refused to return them upon the debtor's bankruptcy filing, Defendant argues it is holding onto the inventory and cargo based on its alleged valid maritime lien on the property in its possession; it is not affirmatively acting to disturb the status quo of the estate property, but retaining possession of estate property on which it holds

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a lien. But this assumes that Defendant correctly holds a maritime lien as held in *Logistics Management* or that any lien is not eclipsed by preexisting liens under a Civil Code theory. The court is not confident that the either exists here.

Defendant cites to *Barnes v. Sea Hawaii Rafting*, 89 F.3d 517, 2018 (9th Cir. 2018) for the proposition that creditors with maritime liens have "secret liens" enforceable without formal documentation, or perfection. In other words, Defendant wants the court to read *Barnes* as stating that maritime liens do not have to be recorded in order to supersede preexisting liens. However, the court is not sure that *Barnes* settles the question, though it could be broadly cited for the proposition that bankruptcy courts lack jurisdiction over vessels involved in existing admiralty proceedings, and that Section 363(f) may not allow the bankruptcy court to sell free and clear of a seamen's lien for maintenance. The court is not convinced that our case falls into this category, as Defendant is not a "seaman" who would be entitled to special protection, and this transaction seems more like a land-based transaction outside Admiralty law which does require recording of a lien interest.

Lastly, this is a case about the absolute, self-enacting duty of turnover which is embodied at 11 USC §542. This is a different issue from *Fulton* which is concerned with violations of the stay. Secured creditors faced with a turnover demand frequently and properly request adequate protection of their lien interests. That should have been done here but was not. It might or might not be because there is no cognizable lien interest; that is the central question here that has yet to be determined. Debtor would have been well advised that was not done .

So, the parties have some work to do. Contempt might not be the right framework given the belated but not frivolous claims of lien. But either a quick determination of the legal issue or an adequate protection stipulation of Defendant's lien claim should be discussed, and hopefully brought again quickly as a stipulated order. In meantime the court will stay the sanctions

**United States Bankruptcy Court
Central District of California
Santa Ana
Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, September 12, 2024

Hearing Room

5B

11:00 AM

CONT... Heycart Inc

Chapter 11

order pending further proceeding given these uncertainties.

Deny without prejudice to renewal on the issue of adequate protection
or reinstatement of sanctions. *Appearance required.*

Party Information

Debtor(s):

Heycart Inc

Represented By
Zev Shechtman
Eric P Israel
Michael G D'Alba
Carol Chow
Ryan Coy

Defendant(s):

Victory Maritime Services USA

Represented By
Michael Smith

Auric Worldwide Cargo, a Canadian

Pro Se

Apex Global Logistics Inc., a

Pro Se

Apex Global Logistics USA, a

Pro Se

Plaintiff(s):

Heycart, Inc.

Represented By
Sabrina Espinal
Carol Chow
Zev Shechtman
Paige N. Topper

**United States Bankruptcy Court
Central District of California
Santa Ana
Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, September 12, 2024

Hearing Room

5B

11:00 AM

8:22-11585 AB Capital, LLC, a California limited liability co

Chapter 7

Adv#: 8:22-01091 Marshack v. Pukini, individually and as trustee of The Joshua

#18.00 Defendants Ryan Young, Tablerock Enterprises LLC And 31831 Sunset LLC's Motion To Dismiss First Amended Complaint Adversary Without Leave to Amend Pursuant To Rule **12(b)**

Docket 281

***** VACATED *** REASON: CONTINUED TO 11-07-24 AT 11:00 A.M.
PER ORDER APPROVING STIPULATION TO CONTINUE HEARING
ON MOTION TO DISMISS ENTERED 8-27-24 - SEE DOC # 294**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

AB Capital, LLC, a California	Pro Se
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Defendant(s):

TABLEROCK ENTERPRISES,	Represented By Anthony Bisconti
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LUNA CONSTRUCTION	Pro Se
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LIVING ART WORKS LLC	Pro Se
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CALPAC MORTGAGE FUND,	Pro Se
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CALPAC MANAGEMENT, INC.	Pro Se
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CAL-PAC DISTRESSED REAL	Pro Se
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BDP DEVELOPMENT	Pro Se
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ABC 2260 SAN YSIDRO LLC	Pro Se
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AB CAPITAL LFD, INC.	Pro Se
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AB CAPITAL FUND B, LLC	Pro Se
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AB CAPITAL FUND A, LLC	Pro Se
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**United States Bankruptcy Court
Central District of California
Santa Ana
Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, September 12, 2024

Hearing Room

5B

11:00 AM

CONT... **AB Capital, LLC, a California limited liability co**
31831 SUNSET LLC Represented By
Anthony Bisconti

1034 W BALBOA, LLC Pro Se

108 AVENIDA SERRA, LLC Pro Se

Edmund Valasquez, Jr. Pro Se

Ryan Young, individually and as Represented By
Anthony Bisconti

Joshua R. Pukini, individually and as Pro Se

AB CAPITAL HOLDINGS I, LLC Pro Se

Chapter 7

Plaintiff(s):

Richard A. Marshack Represented By
James C Bastian Jr
Ryan D O'Dea
Shane M Biornstad
Rika Kido
Kristine A Thagard

Trustee(s):

Richard A Marshack (TR) Represented By
D Edward Hays
Alan W Forsley
Ryan D O'Dea
Kristine A Thagard
James C Bastian Jr
Marc A Lieberman
Rika Kido
Brooke S Thompson